IN THE HIGH COURT OF JUDICATURE OF BOMBAY

CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER No.529 of 2006

Lokavidhi Properties Pvt.Ltd. .. Appellant

versus

Sarvajanik Navratna Utsav Mandal &ors.. Respondents

...

Mr.P.Seksaria i/b Viraj Maniar Associates for the apepllant.

Mr.H.K. Gala for respondent nos.1, 3 and 5.

CORAM : D.G. KARNIK, J

DATED : 21st August 2006.

P.C.:

1. Heard learned counsel for the parties.

2. On a preliminary objection raised by learned counsel for the respondent that the impugned order is not appealable under Order 43 of the Code of Civil Procedure, learned counsel for the appellant seeks leave to withdraw the appeal with liberty to challenge

the impugned order in an appropriate proceedings before appropriate forum. Leave granted. Appeal dismissed as withdrawn. Ad-interim order passed by this Court on 20th July 2006 shall continue for a period of two weeks.

(D.G. KARNIK, J)